



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>LEND A D, INC.</b>	)	
8039-41-8045 Linwood	)	
Detroit, Michigan 48206	)	Request ID No. 623351
	)	
Wayne County	)	
	)	
	)	

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At the October 25, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On June 7, 2012, Gus Abro, legal counsel on behalf of Lenda D, Inc. (licensee) filed a request to modify the Commission's Transfer of Stock Approval Order of May 8, 2012 approving the applicant's request to transfer all stock in the 2012 SDD and SDM licenses with Sunday Sales Permit (P.M.) and Sunday Sales Permit (A.M.) at the above-noted location, wherein existing stockholder, Lenda Dawood, transfers 60,000 shares of stock to new stockholder, Hanan A. Haddad. The order contains a proviso that prohibits the involvement of Uday Ramzi Sinawe in any aspect of the licensed business due to his prior violation history as a licensee of the Commission. Uday Ramzi Sinawe is the spouse of sole stockholder, Hanan A. Haddad.

Attorney Gus Abro represented the applicant at the June 28, 2012 appeal hearing held at the Commission's Southfield office. After hearing arguments, reviewing the MLCC file and Exhibits presented, and discussion of the issue on the record, the Commission tabled this matter to its October 25, 2012 meeting agenda held at the Commission's Southfield office.

Attorney Abro submitted written documentation to the Commission, including proof of successful completion of TIPS® alcohol management training for Uday Sinawe, Hanan Haddad, and Dured Sinawe. Counsel also provided a photograph of the electronic identification scanning equipment utilized at the licensed location, and several photographs of signage posted throughout the establishment indicating all purchases of alcohol sales require the presentation of identification.

After hearing arguments, reviewing the MLCC file and Exhibits presented, and discussion of the issue on the record at both hearings held in this matter, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules, and the previous questions concerning this application have been satisfactorily addressed.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

The licensee is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f)(g), the licensee may sell beer, wine, spirits and mixed spirit drink for consumption off the premises only.

The Commission finds sufficient reasons to AMEND its approval order of May 8, 2012 issued in this matter for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The Commission's approval order of May 8, 2012 is AMENDED by striking "With the proviso that applicant stockholder, Hanan A. Haddad's spouse, Uday Ramzi Sinawe, not be employed or involved in the operation or management of the licensed business on a paid or voluntary basis, not be a consultant to or involved in the promotion of

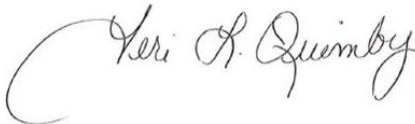
the licensed business on a paid or voluntary basis, not operate any type of business or enterprise in conjunction with or in association with the operation of this licensed business and not hold an interest in the real estate, furniture, fixtures and/or equipment either through another person, corporation, partnership, or limited liability company”.

B. All other provisions of the order will remain in effect.



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Andrew J. Deloney, Chairman



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Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner



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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>SWAMI ENTERPRISES, INC.</b>	)	
343 Tecumseh	)	Request ID No. 628645
Dundee, Michigan 48131	)	
	)	
Monroe County	)	
_____	)	

At the October 25, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On November 4, 2011, Swami Enterprises, Inc. (applicant) filed a request to transfer ownership of an escrowed 2011 SDD license, only, under MCL 436.1537, from Dundee Pharmacy Shoppe, Inc.; and to transfer location of the SDD license from 115 Riley, Dundee, Monroe County, to the above noted address to be held in conjunction with an existing SDM license with Sunday Sales Permit (A.M.) at that location. The licenses and permit have been renewed for the 2012-2013 licensing year.

At a meeting held on August 1, 2012, the Commission denied this request under administrative rule R 436.1105(2)(a), (b) and (j) after considering the operating record of the applicant as a current licensee of the Commission, and the effects that issuance of a license would have on the health, welfare, and safety of the general public.

Attorney John Davey submitted a timely request for an appeal in this matter and represented the applicant at the October 25, 2012 hearing, held at the Commission's

Southfield office.

After hearing arguments, reviewing the MLCC file and Exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

The licensee is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f)(g), the licensee may sell beer, wine, spirits and mixed spirit drink for consumption off the premises only.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of August 1, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall pay all license fees by April 30<sup>th</sup> each year pursuant to administrative rule R 436.1107 in regards to the SDD license.
2. The licensee shall submit to the Commission documentary proof that Swami Enterprises, Inc. received a loan in the amount of \$150,000.00 from The National Republic Bank of Chicago.
3. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
4. The licensee shall maintain proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to

maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permit until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

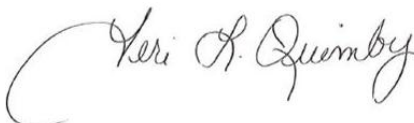
B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of the licenses and permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee shall obtain all other required state and local licenses, permits, and approvals before selling or serving alcoholic liquor.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permit.



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Andrew J. Deloney, Chairman



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Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner



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Prepared by:  
Terri Chase, Commission Aide



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>T &amp; H PARTY STORE, LLC</b>	)	
2160 Coolidge	)	Request ID No. 580650
Berkley, Michigan 48072	)	
	)	
Oakland County	)	
_____	)	

At the October 25, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On February 11, 2011, T & H Party Store, LLC (applicant) filed a request for a new SDM license with Sunday Sales permit (A.M.) to be located at the above-noted location. The applicant also made application for a new SDD license to be held in conjunction with the requested SDM license and is pending Commission consideration at this time.

At a meeting held on October 19, 2011, the Commission denied this request under administrative rule R 436.1105(2)(d) after considering the unfavorable recommendation submitted by the Berkley Department of Public Safety for this application when determining whether an applicant should be issued a license or permit.

Charles T. Busse, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the March 1, 2012 hearing, at the Commission's Southfield office. The Commission issued an order on March 1, 2012 setting aside the denial order of October 19, 2011 for the purpose of referring the

application back to the Commission's Licensing and Enforcement Divisions for further investigation on the documentation presented at the hearing held on March 1, 2012, and for further consideration and evaluation by the Berkley Department of Public Safety.

At a meeting held on August 15, 2012, the Commission denied this request under administrative rule R 436.1105(2)(d) after considering the unfavorable recommendation submitted by the Berkley Department of Public Safety for this application when determining whether an applicant should be issued a license or permit.

Lisa Hamameh, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and Attorney Kelly Allen represented the applicant at the October 25, 2012 hearing, held at the Commission's Southfield office. Deputy Chief Robert North represented the Berkley Department of Public Safety.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or MLCC Administrative Rules. For the reasons stated on the record, the previous order is AFFIRMED.

THEREFORE, IT IS ORDERED that:

The denial order of August 15, 2012, issued in this matter is AFFIRMED.

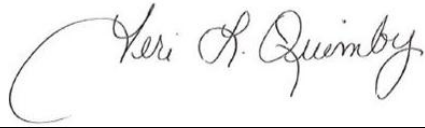


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Andrew J. Deloney, Chairman



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Teri L. Quimby, Commissioner



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Dennis Olshove, Commissioner



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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_